

REMARKS

Claims 1-15 are all the claims pending in the application. By this amendment, Applicant editorially amends claims 3, 5, 6, and 11-14. The amendments to claims 3, 5, 6, and 11-14 were made to remove multiple dependency format and to fix minor typographical errors. These editorial amendments do not narrow the literal scope of the claims and thus do not implicate an estoppel in the application of the doctrine of equivalents. The amendments to claims 3, 5, 6, and 11-14 were not made for reasons of patentability.

A. Preliminary Matters

First, Applicant thanks the Examiner for initialing the references listed on Forms PTO/SB/08 A & B (modified) submitted with the Information Disclosure Statements filed on August 6, 2003 and January 5, 2004. In addition, Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119(e), as well as the receipt of a certified copy of the priority document filed on August 6, 2003. Finally, Applicant thanks the Examiner for approving the formal drawings filed on August 6, 2003.

B. Summary of the Office Action

The Examiner objected to the title as being non descriptive and to claims 5-9 and 13-15 as being in improper form. In addition, the Examiner rejected claims 1-3 and 10 under 35 U.S.C. § 102(b) and claim 4 under 35 U.S.C. § 103(a). Finally, the Examiner indicated that claims 11 and 12 contain allowable subject matter.

C. Title

The Examiner has objected to the title of the invention as being not descriptive. Applicant herein amends the title to further describe the invention. In view of this self-explanatory amendment to the title, Applicant respectfully requests the Examiner now to withdraw this objection.

D. Claim Objections

The Examiner objected to claims 5-9 and 13-15 as being in improper form because they depend from another multiple dependent claim (MPEP § 608.01(n)). As a result, claims 5-9 and 13-15 have not been further treated on the merits. Independently, Applicant has amended the claims to fix minor typographical errors and to remedy the multiple dependency problem. Applicant respectfully submits that these independent amendments also overcome all of the Examiner's objection to the claims. Therefore, Applicant respectfully requests the Examiner to withdraw these objections to claims 3, 5, 6, and 11-14.

E Claim Rejections under 35 U.S.C. § 102

Claims 1-3 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent No.: 2002-19176A to Kenji et al. (hereinafter "Kenji"). Applicant respectfully traverses these rejections in view of the following remarks.

Turning to the cited reference, Kenji teaches increasing the quantity of light of an exposing unit having light emitting elements arranged in an array. Kenji aims at a high definition latent-image formation by the aligner and achieving an accelerating of the image formation using the aligner (¶¶ 6 and 7 of the machine translation).

In particular, Kenji teaches the aligner 30 having a lens 3, a transparent glass substrate 4, and cylindrical lenses 52 and 55. Moreover, Kenji teaches the closure section 51 is formed in the light-emitting part train 4a side of an EL element substrate in order to protect those electric actuators from the external moisture. The closure section 51 is made to pinch the rod-lens array 3 by the flat-spring member 53. The flat-spring member 53 is pasted on the covering 6 that prevents the light from leaking. Moreover, the closure section 51 pinches the EL element substrate 4 of the substrate side attachment component. The field “A” between a cylindrical lens 55 and the rod-lens array 3 is protected so that dust may not invade if needed, and it is being fixed so that covering 6 may touch the rod-lens array 3 (Fig. 1; ¶¶ 25 and 26 of the machine translation).

The Examiner contends that Kenji teaches each feature of claims 1-3 and 10. These rejections are not supportable for at least the following reasons. Claims 1 and 10 are the only independent claims. First, claim 1 recites: “a light shielding member for shielding at least ultraviolet rays is provided around said exposure means.” It is respectfully pointed out that Kenji fails to disclose at least the light shielding member for shielding at least ultraviolet rays as recited in claim 1.

Kenji, only teaches the closure section 51 is made to pinch the rod-lens array 3 and EL element substrate 4 and the covering 6 which prevents light leaks. The field A between a cylindrical lens 55 and the rod-lens array 3 is protected so that dust may not invade if needed, and it is being fixed so that covering 6 may touch the rod-lens array 3. In Kenji, however, the closure section 51 is for squeezing the lens array and a substrate. Similarly, the covering 6 only prevents the light from leaking to the outside, as opposed to shielding the light emitting elements

from the outside light. In short, both the closure section 51 and the covering 6 have nothing to do with shielding the light emitting elements from the ultraviolet light.

The Examiner alleges that the light shielding member is equivalent to Kenji's reference numeral 52 or the covering 6. As explained above, the covering 6 only prevents light from leaking outside the aligner 30, whereas the reference numeral 52 denotes a cylindrical lens. In short, "the light shielding member" is not disclosed in Kenji. In summary, the deficiencies of the Kenji reference fall to the Examiner's burden to show inclusion of the claim elements. Therefore, for all the above reasons, independent claim 1 is patentable. Claims 2 and 3 are patentable at least by virtue of their dependency on claim 1.

In addition, dependent claim 2 recites: "said light shielding member has a first light shielding member disposed to cover said organic EL light emitting element array." The Examiner contends that Kenji's feature 52 is equivalent to the first light shielding member as recited in claim 2. This grounds of rejection is respectfully submitted to be incorrect as a technical matter. Kenji's feature 52 is a cylindrical lens and does not shield light. Moreover, covering 6 is not positioned to cover the EL light emitting element array (see Fig. 1). In other words, Kenji clearly fails to teach or suggest the light shielding member having a first light shielding member disposed to cover the EL light emitting element array. For at least this additional reason, it is respectfully submitted that claim 2 is patentably distinguishable from Kenji.

Claim 10 recites: "a member covering said transparent substrate is an opaque member, and all of faces of said opaque member confronting the end faces of said transparent substrate are composed of light absorbing members." Kenji, however, teaches that the closure section 51 is

made only to pinch the rod-lens array 3 by the flat-spring member 53, being pasted up on the covering 6, and pinching the EL element substrate 4 of the substrate side attachment component. The Examiner did not indicate how Kenji meets the above-identified features. In fact, the entire disclosure of Kenji fails to teach or suggest that the closure section 51 or, in fact, any other element is opaque.

In short, Kenji clearly fails to teach or suggest “a member covering said transparent substrate is an opaque member, and all of faces of said opaque member confronting the end faces of said transparent substrate are composed of light absorbing members,” as set forth in claim 10. Therefore, for all the above reasons, independent claim 10 is patentable.

F. Claim Rejection - 35 U.S.C. § 103

With respect to the rejection under 103, claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenji in view of U.S. Patent No. 5,808,649 to Shimanari et al. (hereinafter “Shimanari”). Applicant respectfully traverses this rejection in view of the following remarks.

Claim 4 depends upon claim 1. It was already demonstrated that Kenji does not meet all the requirements of independent claim 1. Shimanari is relied upon only for its teaching of a detachable developing device. Clearly, Shimanari does not compensate for the above-identified deficiencies of Kenji. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 1. Since claim 4 depends upon claim 1, it may be patentable at least by virtue of its dependency.

G. Allowable Subject Matter

Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in the independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully holds the rewriting of the dependent claims 11 and 12 in abeyance until the rejection of the independent claims has been reconsidered.

H. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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